



Landmarks & Urban
Conservation Commission



Agenda Number:
Case No.: 09-LUCC-50054
Project # 1007470
January 13, 2010

Staff Report

Agent		Staff Recommendation <i>DENIAL of Case # 09-LUCC-50054, Project #1007470, a request for a Certificate of Appropriateness for demolition and new construction, based on the Findings 1-20 beginning on page 18.</i>
Applicant	Jon Anderson	
Request	Certificate of Appropriateness for demolition and new construction	Maryellen Hennessy Staff Planner
Legal Description	Lots 4 & 5, Block 4, Luna Place Addition	
Address/Location	908 Roma Ave. NW	
Size	.1492 ac.	
Zoning	SU2/TH	
Historic Location	Fourth Ward Historic Overlay Zone	

Summary of Analysis

The application is for a Certificate of Appropriateness to demolish an existing building and construct a new single-family house on a site in the Fourth Ward Historic Overlay Zone.

The design of this residence uses an architectural vocabulary that is dissimilar to the contributing buildings in the Fourth Ward Overlay Zone. The design does not reference the traditional forms and patterns of the district. The architectural detailing, roofline or massing does not provide familiar visual clues lending compatibility with contributing buildings.

The proposed building demonstrates substantial incompatibility with the specific design guidelines for the Fourth Ward.

The proposal is sufficiently out of conformance with established policies and guidelines to conclude that it does not protect or enhance the historic zone in which it is located.

PRIMARY REFERENCES:

Landmarks and Urban Conservation Ordinance; Design Guidelines for the Fourth Ward Historic Overlay Zone.

City Departments and other interested agencies were given the opportunity to review this application from 12/17/09 to 1/7/09. Agency comments that were received were used in the preparation of this report, and begin on page 18.

Development Review Division Report:

SUMMARY OF REQUEST

<i>Requests</i>	<i>Certificate of Appropriateness for demolition and new construction</i>
<i>Historic Location</i>	<i>Fourth Ward Historic Overlay Zone</i>

AREA HISTORY AND CHARACTER

Surrounding architectural styles, historic character and recent (re)development

	<i># of Stories</i>	<i>Roof Configuration, Architectural Style and Approximate Age of Construction</i>	<i>Historic Classification & Land Use</i>
<i>General Area</i>	1-2	Craftsman Bungalow; Bungalow; Spanish Pueblo Revival; Prairie; Mediterranean Revival; Colonial Revival	Contributing; residential
<i>Site to the North</i>	1	Flat roofed Simplified Mission; 1924	Contributing; residential
<i>Sites to the South</i>	1	Flat roofed Simplified Mission; pre-1924	Contributing; residential
<i>Sites to the East</i>	1	Gabled roof Bungalow ca. 1920	Contributing; residential
<i>Site to the West</i>	1 1/2	Gabled roof Bungalow ca. 1919	Contributing; office

Background, History and Context

The Fourth Ward historic district is a neighborhood of fine homes that grew up between the original *Villa de Albuquerque (Old Town)* and the “new town” that had grown around the railroad tracks over a mile to the east. The Perea Addition was platted in 1881, less than a year after the arrival of the railroad. Properties were sold slowly, often by the half-block. Some of the earliest fine homes were built on these larger parcels, but only a few houses were built in the area in the nineteenth-century. Residential development at the time was concentrated in the Huning Highland neighborhood east of the railroad tracks. The Fourth Ward began to fill with large new homes after the turn of the century; and by about 1905 it had become the preferred neighborhood for members of the city’s mercantile and professional elite. The second subdivision in the Fourth Ward, the Luna Place Addition, was platted in 1907. Planned as a self-contained boulevard, it ended in the half-moon Luna Circle on the north side of what is now Lomas Blvd. The eastern edge of the historic district also includes portions of the New Mexico Town Company’s Original Townsite.

Similar to Huning’s Highland, the Fourth Ward was never exclusively upper-middle class. Modest cottages sat side by side with the substantial homes of Albuquerque’s influential citizens. A streetcar line ran along Central Ave. from Downtown to Old Town, and a second line running along Lomas, made transportation to jobs and stores easy.

The architectural character and interest of the Fourth Ward Historic District reflects the leisurely pace with which it developed and the high quality of houses built there over the years. The neighborhood boasts a variety of finely executed styles and forms. Styles represented include Italianate; Queen Anne; Classic, Neo-Classic; Tudor Revival; Colonial Revival; Mediterranean, Mission, and Spanish Colonial Revival. Many houses blend elements from a variety of styles or traditions, including the continuing New Mexican Vernacular tradition.

The character of the buildings in the Fourth Ward Historic District is enhanced by the fine streetscapes of the neighborhood. Houses on the north-south streets are set back about 20 feet from the road, allowing a deep front yard as well as sidewalk planting strips; on the east-west streets, the setback is often less, but the planting strips remain. The neighborhood is also noted for its fine, large street trees and good gardens, qualities that enhance both its architecture and its somewhat mid-western flavor.

The Fourth Ward Historic District was accepted to the National Register of Historic Places in 1980 and the City Council mapped the Historic Overlay Zone in 1991.

The subject site at 908 Roma contains a small concrete block house described in the 1979 building inventory as a "modified prairie" style and built ca. 1940. Windows are steel casement. The building is designated as "neutral" to the historic district. (It should be noted here that there appears to be an error on the district building map. The building is shown as contributing on the map, however; the nomination of record describes it as "neutral".) This is not a term that is used today; and since the building is not "contributing" to the historic district we can consider it to be "non-contributing".

The applicant describes the building as a garage for 912 Roma that was been converted to a residence in the 1950's. The applicant proposed to remove this structure and construct a new two-story house of approximately 2,000 square feet.

There is an existing three-car garage of recent construction located at the rear of the property.

APPLICABLE PLANS, ORDINANCES, DESIGN GUIDELINES & POLICIES

Albuquerque-Bernalillo County Comprehensive Plan of 1988, amended 2003

This site is a Historic Resource in terms used in the *Comprehensive Plan*. The plan sets out goals and policies concerning land use, environmental protection and heritage conservation. Chapter II, Section 5, Historic Resources Goals and Policies (pp. II-61-II-62) states:

“The Goal for Historic Resources is to protect, reuse or enhance significant historic buildings and districts.”

Applicable Historic Resources policies include:

Policy b: Research, evaluation, and protection of historical and cultural properties in the City and County shall be continued where appropriate.

This site is contained in the Central Urban Development Area, a portion of the Established Urban Development Area as defined in the *Comprehensive Plan*, and is subject to the policies of Section II.B.5 (Established Urban Area) as well as the Central Urban Area policies. The Goal of the Central Urban Area is to “promote the Central Urban Area as a focus for arts, cultural, and public facilities/activities while recognizing and enhancing the character of its residential neighborhoods and its importance as the historic center of the City.”

The Goal of the Established Urban Area is to “create a quality urban environment which perpetuates the tradition of identifiable, individual, but integrated communities within the metropolitan area and which offers variety and maximum choice in housing, transportation, work areas, and life styles, while creating a visually pleasing built environment.”

Applicable Established Urban Area policies include:

Policy d: “The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern.”

Policy o: “Redevelopment and rehabilitation of older neighborhoods in the Established Urban Area shall be continued and strengthened.”

Section 11.C.9 Community Identity and Urban Design goal is “to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods.”

Policy b states “In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon (3) Local history, specifically architectural styles and traditions and current and historic significance to Albuquerque.

Resolution –46-1991 Designating the Fourth Ward and Eighth and Forrester Historic Overlay Zones (1991)

This resolution designated, mapped, and provided general guidelines for the establishment of the Fourth Ward and Eighth and Forrester Historic Overlay Zones. For this case, this resolution will be referred to only as it applies to the Fourth Ward Historic Overlay Zone and the

subject property contained therein, excluding references to the Eighth and Forrester Historic Overlay Zone. Contained within this resolution are general guidelines.

Resolution –07-287 Amending resolution number R-46-1991 which designated the Fourth Ward and Eighth and Forrester historic overlay zones, adopting specific design guidelines for the Fourth Ward historic overlay zone and approving guidelines for the Eighth and Forrester historic overlay zone (2007)

The specific development (design) guidelines for the Fourth Ward Historic Overlay Zone were amended and adopted by the LUCC in 2002. In 2007, the City Council ratified the adoption of these guidelines in this resolution. Section 3. ENACTMENT AMENDED states that “Any provision in R-246-1991 that is inconsistent with the guidelines approved by this resolution is superceded.”

Fourth Ward Historic Overlay Zone Design Guidelines

The Landmarks and Urban Conservation Commission approved specific development guidelines as delegated by *Resolution –046-1991*. These guidelines were revised in 2002. The guidelines were adopted by the City Council in R-07-287 (see above). Section III Guidelines for New Construction are applicable to this case.

Landmarks and Urban Conservation Ordinance

This site consists of a contributing property in the Fourth Ward Historic Overlay Zone and the project is subject to certain provisions of the Landmarks and Urban Conservation Ordinance (Article 12, R.O.A., 1994). The purpose of this ordinance is to:

“Preserve, protect, enhance, perpetuate and promote the use of structures and areas of historical, cultural, architectural, engineering, archeological or geographic significance located in the city; to strengthen the city’s economic base by stimulating the tourist industry; to enhance the identity of the city by protecting the city’s heritage and prohibiting the unnecessary destruction or defacement of its cultural assets; and to conserve existing urban developments as viable economic and social entities.”

Section 14-12-8 (A) of the LUC ordinance provides that:

"Within the boundaries of a historic zone, urban conservation overlay zone, or landmark site, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved."

ANALYSIS

4TH Ward Guidelines

The table below provides an evaluation of the submittal as it relates to pertinent aspects of the 4th Ward Guidelines as approved by the LUCC in 2002.

III. Design Guidelines for New Construction	Analysis	Does the submittal satisfy the design guidelines?
A. Standards for New Construction		
1. Public facades of proposals for new buildings shall be more carefully reviewed than other sides. Street appearance is vital.	This design's public façade comes in layers, the first of which is a yard wall as wide as the house next door and more than five feet tall. The next layer is a garage wall with overhead door. The next is a two-story wall with very large glass and masonry surfaces. None of the nearby houses, and very few buildings in this Historic Overlay, display anything comparable.	
2. New construction should add visual interest and a sense of scale at the street level, and at the same time be compatible with predominant general characteristics of contributing buildings in the vicinity. The new structure should reflect designs traditionally used in the area.	The proposed building does not reflect designs or general characteristics of the contributing buildings in the area. Compatibility can be achieved with the use of similar shapes, patterns and materials. This building employs none of those.	NO
3. New buildings shall not be imitations of contributing buildings or of other new buildings, but shall be unique in design. Compatibility is appropriate, but imitation is not appropriate.	The proposed building is unique in design and does not attempt to imitate contributing buildings, however, it is not compatible with contributing buildings in the area because it does not utilize similar massing, roof shape, materials or window patterns.	Yes and NO
4. New construction shall have a scale, proportion, and massing similar to that of contributing buildings on the same block. If none exist, then it shall be similar to that of contributing buildings in the area. In all cases, the scale, proportion and massing of new construction will be compared with the scale of contributing buildings.	The scale of the proposed building is not dissimilar to other buildings but the massing is very dissimilar to the contributing buildings. See B.1 below.	Yes and NO

B. Scale, Proportion, and Massing		
<p>1. Scale is how we perceive the size of a building element or space relative to other forms. It can also be defined as the size of a new building and its mass in relation to open spaces. "Human Scale" is a dimension that relates to our own size.</p> <p>Buildings in the Fourth Ward derive their scale from their height, their regular placement on lots, and their abundance of familiar and human-scaled architectural detailing. The scale of Fourth Ward is one to three stories, with larger, deeper lots on the north/south streets, and wider, shallower lots on the east/west streets. The major building type is a single-family house.</p>	<p>This design is set among buildings of lesser scale, but its lot is no larger than those of its neighbors. It is taller perceptually in having a front wall that rises uninterrupted to 22 feet above grade. Its elements, ranging from street-facing windows to building wall surfaces to the front-yard wall, are far larger than comparable elements of nearby buildings. This scale difference is lessened somewhat by the use of unit masonry on the façade, but the units shown are much larger than the brick found in some nearby historic houses, resulting in minor mitigation of a major disparity. The width of the facade, which is extended visually by the front-yard wall, is far more than nearby facades.</p>	
<p>2. Proportion is the relationship between the height and width of a building or opening, or the amount and placement of openings compared to the amount of solid walls.</p> <p>In the Fourth Ward, the relationship between the height and width of a building is usually 1:1 or 2:1. There is a high proportion of windows and doors to walls.</p>		
<p>3. Mass is the geometric bulk of the structure, usually rectangular in form.</p> <p>In the Fourth Ward, buildings are made up of regular larger masses, with smaller masses attached, such as porches or pitched roofs.</p>		
<p>C. Pattern and Rhythm</p> <p><i>Pattern is the form of the building, space, or object grouped together. Rhythm is the regular occurrence of those patterns that organize and harmonize a series of like forms or spaces. In Fourth Ward, lot sizes, building sizes, pitched roofs, porches, window and door openings, and street trees all create rhythm. Other patterns and rhythms are window configuration (such as 6/1 panes, grouped in threes) that are repeated throughout the house. Rhythms can be formed using more than one pattern.</i></p>		

1. New construction shall conform to established rhythms on the buildings and on the sites.	This design generally conforms to the established rhythm of its block, despite its wider-than-normal façade and the widening effect of the front-yard wall.	Yes
2. New construction shall employ at least two of the following methods:		
a. Incorporate similar patterns of architectural details from existing contributing buildings. Texture and scale of those details are important considerations, without duplicating a historically accurate detail.	This guideline makes clear the non-necessity of duplicating historic details but calls for relating new construction to historic buildings via similar patterns of details. The design shows unit masonry in running bond, but the large unit size sets a different scale than the brick walls of some of the area's contributing buildings.	NO
b. Match patterns of exterior materials with those of contributing buildings.	This design combines a masonry façade with stucco finish on other exterior walls, a pattern not matched in the contributing buildings. While some contributing buildings combine masonry and stucco finishes, and have clear glass windows and wood front doors, as this design does, the pattern (form and style in an artistic work) of materials in this design is very different.	NO
c. Match rooflines with those of contributing buildings.	This roofline mixes flat projecting and flat with parapet. The result matches no contributing building in the area.	NO
d. Incorporate historically accurate patterns of existing doors and windows from contributing buildings.	There is no incorporation of historically accurate patterns.	NO
D. Siting and Setback		
1. The established, traditional setback shall be maintained, unless demonstrated by the applicant to be unattainable.	This block's buildings have consistent front setbacks, and the proposed front setback falls between those of adjacent buildings	
2. If there is no established setback for the block, the setback for new construction shall be determined by using the average setback of the block. If between two buildings, new construction shall match the setback of the adjacent buildings. Where the adjacent buildings do not have a uniform setback, the average setback between	The front setback distance of the building is consistent with the rest of the block and adjacent buildings, but the front yard wall intrudes on the setback space.	NO

the two adjacent buildings shall be used.		
E. Height		
1. As determined by local zoning requirements and compatible with contributing buildings in the area. Where the allowable height of 26 feet exceeds that traditionally found in the neighborhood, incorporate design features that are harmonious with surrounding properties.	Though twenty feet tall, an allowable two-story height, this design's only lower feature, the garage, does not mitigate the difference between the twenty-foot height and those of surrounding properties whose eaves are less than ten feet above grade.	
F. Exterior Materials		
1. The use of traditional materials and those newer materials compatible with contributing buildings in the area is strongly encouraged. Traditional materials include wood, stucco, brick, adobe, stone and cast stone.	The masonry units proposed for the façade may be compatible dimensionally and materially with cast stone, which is present in a few contributing buildings on other streets. Stucco is prevalent in the area, as are wood front doors. The frosted glass garage door is not a traditional material.	NO
2. Plastic, vinyl, aluminum siding or other metals shall not be used, with the exception of metal window frames.	A metal fascia is proposed at the roof.	NO
G. Architectural Details		
1. New construction shall not duplicate or replicate any contributing buildings, but rather use them as examples of appropriate style and design features.	This building does not replicate any contributing building style nor does it reference any style or design features of the contributing buildings.	NO
2. Large blank walls are not appropriate.	The fireplace element on the front façade is a large blank wall, as is the front-yard wall.	NO
3. Details and massing shall be on a human scale.	Other than standard sized entry and garage doors, there are no architectural elements that would be considered to be on a "human scale".	NO
4. Front porches are encouraged on all residential structures.	There is no porch provided.	NO
H. Windows: <i>All buildings in the district are marked by an abundance of openings, because when these buildings were constructed, electric lighting was a luxury. The pattern of a high proportion of windows and doors, regularly placed, creates a pleasing rhythm and maintains a human scale.</i>		

1. Residential properties shall have approximately 30% of the wall surface in windows on the ground floor facades (specifically the front facade).	The front façade of the proposed building does not read as distinct upper and lower stories as is typical of houses in the historic district. The fireplace element is a dominant feature that has no separation of upper and lower stories. The garage element appears as a story and a half.	
2. Commercial, office, or multi-family structures shall allow approximately 50% of the ground-floor front facade to window and door openings.	Not applicable	
3. Use of traditional window shapes and types is encouraged, with clear glass predominating. Lightly tinted glass may be used on upper stories.	The tradition in this district is punched window openings. Sash windows (usually wood) are the most common type found on the contributing buildings. The windows on the street façade of the proposed building do not “read” as an opening in a wall as a punched window does, they “read” as a large glazed area on the buildings façade. This treatment cannot be considered traditional in the context of the Fourth Ward Overlay Zone. Windows on the other facades include shapes that are atypical of the district. Most windows on buildings in the district are vertically oriented rectangular punched openings.	NO
4. Stained glass, beveled glass, or other architectural glass may be used.		
Shiny aluminum sliding windows and darkly tinted or reflective glass are prohibited.	Aluminum window frames are proposed that, although coated, have a metallic finish.	NO
I. Entries and Doors <i>A defining feature of the district is the emphasis on entries of the historic houses. They are always oriented to the street and are one of the most significant elements of the house. Entries of single family houses are usually defined and enhanced by a porch.</i>	The proposed entry is defined spatially by flanking elements – the garage and the front-yard wall, rather than a porch or raised stoop. The entry is street-oriented and emphasized in a different way than usual.	
1. Primary building entrances shall be oriented to the street. The use of architectural detail to highlight the entry is preferred.	The primary entrance is on the street façade however no architectural detail is associated with the entry.	NO

2. Front entry porches are strongly encouraged on single-family dwellings.	There is no porch provided.	NO
3. Use of a combination of wood and glass door with a historic design is encouraged.	A solid wood door is proposed.	NO
Shiny aluminum doors are prohibited.		
J. Rooflines <i>Single family homes traditionally had intricate rooflines and facades punctuated by porches, dormers, and other elements. Historic roof shapes include: flat with a parapet, gabled, gambrel, hipped, or a combination of some of these shapes. Multi-family dwellings and non-residential buildings traditionally had flat roofs. However, since both flat and pitched roofs are historically present, either may be appropriate on a new structure, depending on location of the new structure.</i>		
1. Historic roof shapes shall be used on all new structures. Both flat and pitched roofs are historically correct, depending upon the overall design of the structure.	The proposed building has a flat roof, however there is no parapet as would be typical of a flat roofed building in this district. Pitched roofs prevail on the block. The roof on this building is not a historic roof shape for this historic district.	NO
Hyperbolic, partial mansard, or barrel vault roofs and metal roofing are prohibited.	The roof has a metal fascia described as anodized aluminum.	NO
K. New Accessory Structures		
VI. Miscellaneous Features		
A. Area features to be preserved: Original sidewalk paving, buggy steps, horse rings, lawn curbs.	Not applicable	
1. All site and right-of-way alterations shall be reviewed by the LUCC for a Certificate of Appropriateness.		
B. Fences and Walls		
1. Front yard fences are not encouraged. If a fence is necessary in the front yard, it shall be no taller than 3 feet and shall continue to the rear of the yard.	A 5'4" high CMU wall is proposed in the front yard, but not within the front yard setback.	NO
2. If a taller, privacy fence is desired, it shall be located in the rear yard, with the fence beginning at the rear edge of the house.		
3. Concrete block walls shall be stuccoed and architecturally integrated to the building.	The proposed wall is exposed concrete masonry units burnished smooth.	NO
Unstuccoed, smooth-faced block walls, chain link fencing, chicken wire and coyote/patio fencing shall not be approved.	The proposed wall is exposed CMU that is smooth faced.	NO
C. Landscaping	These guidelines are advisory only.	N/A

LUC Ordinance

The table below provides an evaluation of the submittal as it relates to the LUC Ordinance and the specific development guidelines as analyzed above.

LUC Ordinance (§14-12)	Analysis	Does the application satisfy the ordinance criteria?
§14-12-8-B-(1) The change is consistent with the designation ordinance and specific development guidelines for the historic overlay zone	<p>The change is not consistent with the designation ordinance with regard to the garage at the street front and materials.</p> <p>Section 4.C. states that “new construction should utilize exterior materials generally found in the area (wood, stucco, brick, adobe stone or cast stone) and have parking located to the rear of the structure”. There is an existing garage at the rear of the property.</p> <p>The new buildings in not consistent with the majority of the guidelines for new construction in the specific development guidelines as detailed above.</p>	NO
§14-12-8 (B) (2) The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone in which it is located will not be significantly impaired or diminished	The architectural character of the historic zone will be impaired and diminished with the construction of a building that is dissimilar to other structures common to the area.	NO
§14-12-8 (B) (3) The change qualified as a “certified rehabilitation: pursuant to the Tax Reform Act of 1976	Not applicable	
§14-12-8 (B) (4) The structure or site’s distinguished original qualities or character will not be altered. Original shall mean at the time of initial construction or developed over the course of history of the structure.	Not applicable	
§14-12-8 (B) (5) Deteriorated architectural features should be repaired rather than replaced, if possible. If replacement is necessary, the new material shall match the original as closely as possible in like material and design;	Not applicable	

§14-12-8 (B) (6) Additions to existing structure and new construction may be of contemporary design if such design is compatible with the historic zone in which it is to be located	Not applicable	
§14-12-8 (B) (7) Demolition shall only be permitted if it is determined that the property is incapable of producing an economic return as presently controlled and that no means of preserving the structure has been found. In making a determination regarding reasonable economic return the Commission may consider the estimated market value of the building, land and any proposed replacement structures, financial details of the property including but not limited to, income and expense statements, current mortgage balances and appraisals, the length of time that the property has been on the market for sale or lease, potential return based on projected future market conditions, the building's structural condition, and other items determined to be relevant to the application.	See analysis below	

Demolition

The LUC ordinance §14-12-8(B)(7) addresses demolition. It states that demolition shall only be permitted if it is determined that the property is incapable of producing an economic return as presently controlled and that no means of preserving the structure has been found. It goes on to detail the kinds of information that the LUCC might consider in making a determination about the economic return.

The ordinance does not distinguish between the demolition of contributing and non-contributing buildings in this section. It does provide in §14-12-(8)(A)(4) that buildings may be exempted from the Certificate of Appropriateness requirement by the approved specific development guidelines. The specific developments guidelines for the Fourth Ward Historic Overlay Zone adopted in 2002 address demolition (Section IX) but they refer back to the LUC ordinance.

The ordinance designating the Fourth Ward Historic District (**R-046 -1991**) specified in section 4.D. that demolition of a main building listed as noncontributing in the Historic Overlay Zone is permitted without a Certificate of Appropriateness if plans have been approved by the City for a replacement structure. However, as already stated, the specific development guidelines amended and adopted by the LUCC in 2002 do not contain such language.

In 2007, the City Council ratified the adoption of these guidelines in **R-07-287**. In this resolution, Section 3. ENACTMENT AMENDED states that "Any provision in **R-246-1991** that is inconsistent with the guidelines approved by this resolution is superseded."

City legal staff has advised planning staff that **R-07-287** legislation supersedes the 1991 resolution and therefore, the LUC ordinance provides the direction regarding demolition of buildings in the Fourth Ward.

The applicant has presented little financial information regarding economic return as discussed in the ordinance. The letter of justification basically notes that the subject building was not constructed for "economic use", but rather as a garage for the house at 912 Roma. He describes the condition of the house as poorly constructed. He notes that the building is rented for \$440 a month. He states that the use of this lot for a well-constructed single family home would be a better use of the property. The information is inconclusive.

Additional Considerations

The Downtown Neighborhood Association was notified by the applicant of this request. No comment has been received as of the preparation of this report.

Conclusions

This request for a Certificate of Appropriateness for new construction has been reviewed against the criteria for approval of a Certificate of Appropriateness contained in the *LUC Ordinance* and the *Fourth Ward Historic Overlay Zone Design Guidelines*. The proposed building demonstrates substantial incompatibility with the specific design guidelines for the Fourth Ward.

While it is not the intention of the guidelines to limit new development to a particular style or to encourage the design of replica buildings, they encourage sympathetic new construction that harmonizes with the existing structures in the district. That harmony can only be achieved by utilizing basic elements that are common to the architecture of the district.

As outlined in the tables above, the proposed design falls short of achieving compatibility with surrounding buildings. The visual character of this design is significantly different from its neighbors.

The proposal does not meet the goals and policies of the Comprehensive Plan in that the design of the new development does not respect existing neighborhood values and resources of other social, cultural, and recreational concern. The introduction of the proposed development has the potential to negatively impact the Fourth Ward historic district.

FINDINGS for a request for a Certificate of Appropriateness for demolition and new construction - Case 09-LUCC-50054 / Project # 1007470 (January 13, 2010)

1. This application is a request for a Certificate of Appropriateness for demolition and new construction at 908 Roma Ave. NW, described as Lots 4 and 5, Block 4 of the Luna Place Addition, a property in the Fourth Ward Historic Overlay Zone, zoned SU-2/RO.
2. The subject property contains a one-story concrete block house of approximately 700 square feet. This building is designated on the State and National Registers forms as neutral to the Fourth Ward historic district.
3. The applicant proposes to demolish the existing 700 sq. ft. building and construct a new 2,00 sq. ft. single family residence.
4. Section 14-12-8(A) of the Landmarks and Urban Conservation Ordinance states that within the boundaries of a historic zone, the exterior appearance of any structure shall not be altered, new structures shall not be constructed, and existing structures shall not be demolished until a Certificate of Appropriateness has been duly approved.
5. The LUC Ordinance specifies that an application for a Certificate of Appropriateness shall be approved if it complies with several specified criteria. The LUC Ordinance Section 14-12(8)(B)(1) states that a Certificate of Appropriateness shall be approved if *"The change is consistent with the designation ordinance and specific development guidelines for the landmark or historic zone"*.
6. The proposed new building is not consistent with the designation ordinance R-46-1991 Section 4.C which states that new construction should have parking located to the rear of the structure. There is an existing three car garage at the rear of the property but the proposal includes another garage at the front of the house facing the street.
7. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.A.2,3 and 4. The new building does not reflect design traditionally used in the area, it is not compatible with contributing buildings in the area in its massing, roof shape, materials or window patterns as analyzed in the staff report.
8. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.C.2.b.c and d. The proposed building

does not match or replicate patterns of exterior materials, rooflines or patterns of existing doors and windows from contributing buildings as analyzed in the staff report.

9. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.D. 2 because the block wall in the front yard intrudes on the setback space.
10. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.F.1 and 2 in that the exterior materials are not traditional building materials for the Fourth Ward historic district. Metal is used as an exterior finish on the roof.
11. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.G.1,2,3,and 4. The proposed building does not incorporate styles and design features of contributing buildings, it includes large blank walls and no front porch is provided.
12. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.H.3. The proposed new building does not use traditional window shapes or types and include frames with a metallic finish.
13. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.I.1,2 and 3. The entry door is not defined by a porch or enhanced with architectural detail.
14. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section III.J.1 because it does not utilize a historic roof shape.
15. The proposed new building is not consistent with the specific development guidelines for the Fourth Ward Historic Overlay Zone Section VI.B.1 and 3. An unstuccoed, smooth faced block wall in the front yard is not consistent with the guidelines.
16. The LUC Ordinance Section 14-12(8)(B)(2) states that a Certificate of Appropriateness shall be approved if *"The architectural character, historical value, or archaeological value of the structure or site itself or of any historic zone or urban conservation overlay zone in which it is located will not be significantly impaired or diminished"*.
17. The proposed new building has the potential to impair or diminish the historical value and architectural character of the historic zone due to its incompatibility with the development guidelines.

18. The *Albuquerque/Bernalillo County Comprehensive Plan* Established Urban Area policies include: Policy d: "The location, intensity, and design of new development shall respect existing neighborhood values, natural environmental conditions and carrying capacities, scenic resources, and resources of other social, cultural, and recreational concern." The proposed new building does not support Established Urban Area Policy d because the design of the new development is not compatible with the cultural resources of the Fourth Ward historic district.
19. The *Albuquerque/Bernalillo County Comprehensive Plan* contains goals and policies related to Environmental Protections and Heritage Conservation. Section 11.C.5 Historic Resources goal is to protect reuse or enhance significant historic districts and buildings. The proposed new building does not support the Historic Resources goal because the historic district is not protected from new development that is incompatible with the development guidelines.
20. The *Albuquerque/Bernalillo County Comprehensive Plan* Section 11.C.9 Community Identity and Urban Design goal is "to preserve and enhance the natural and built characteristics, social, cultural and historical features that identify Albuquerque and Bernalillo County sub-areas as distinct communities and collections of neighborhoods." Policy b states "In each Community Area, strategic planning, neighborhood planning, development and redevelopment shall be evaluated in light of its relationship to and effect upon (3) Local history, specifically architectural styles and traditions and current and historic significance to Albuquerque." The Community Identity and Urban Design goal is not supported by the proposed new building because it does not reflect the building traditions of the historic neighborhood thereby not preserving the built characteristics and historical features that characterize the Fourth Ward historic district.

RECOMMENDATION - Case No. 09-LUCC-50044/ Project # 1007470 –

DENIAL of Case No. 09-LUCC-50044/ Project # 1007470, an application for a Certificate of Appropriateness for demolition and new construction, located at 908 Roma. This property is more specifically described as Lots 4 and 5, Block 4, Luna Place Addition a non-contributing property in the Fourth Ward Historic Overlay Zone, zoned SU-2/RO, based on the above 20 Findings.

Maryellen Hennessy, Senior Planner,
Current Planning Division

Attachments

CITY OF ALBUQUERQUE AGENCY COMMENTS

ZONING CODE SERVICES DIVISION

NO RESPONSE

BUILDING & SAFETY SERVICES DIVISION

APPROVED. Permit submittal required.

HISTORIC PRESERVATION/ADVANCED PLANNING

NO RESPONSE

PNM

ENVIRONMENTAL HEALTH DEPARTMENT

SOLID WASTE MANAGEMENT DEPARTMENT

FIRE DEPARTMENT/Planning

COMMENTS FROM OTHER AGENCIES, WHEN APPLICABLE:

TRANSIT DEPARTMENT

POLICE DEPARTMENT

PARKS AND GENERAL SERVICES

OPEN SPACE DIVISION

BERNALILLO COUNTY

ALBUQUERQUE FLOOD CONTROL AUTHORITY

ALBUQUERQUE PUBLIC SCHOOLS

MIDDLE RIO GRANDE COUNCIL OF GOVERNMENTS